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Legislative Notice

Editor, Judy Gorman Prinkey

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S. 1122 —The FY 2000 Department of Defense Appropriations Bill

Calendar No. 122

Reported by the Senate Appropriations Committee on May 25, 1999, by a vote of 24-3, with Senators Dorgan, Feinstein, and Durbin voting "no." S. Rept. 106-53.

NOTEWORTHY

- The Senate is expected to consider S. 1122 this week.
- The bill provides \$264.7 billion in new spending authority for the Department of Defense for FY 2000, which is \$1.4 billion above the President's request. The recommendation before the Committee meets the budget authority and outlay limits established in the 302(b) allocation, as revised.
- S. 1122 tracks closely the Senate-reported Defense Authorization bill, S. 1059. For instance, the bill funds 1.384 million active duty military personnel, consistent with the Senate reported Defense Authorization act.
- In other action, the Committee fully funded a 4.8-percent pay raise for FY 2000 and includes \$1.838 billion in supplemental spending for military pay.
- The bill does not include funding for the U.S. military's Kosovo mission, but it also does not include language expressly barring defense funds from being used in Kosovo. Approximately \$2.1 billion is provided for overseas contingency operations in Southwest Asia and Bosnia.
- The Committee provides \$1.3 billion for Environmental Restoration. Some \$40 million is added specifically to address environmental issues at formerly used defense sites.
- Overall funding levels for certain titles are as follows:
 - Personnel: \$73.9 billion
 - Operation and Maintenance: \$91.9 billion
 - Procurement: \$54.5 billion
 - Research and Development: \$36.5 billion
 - Drug Interdiction: \$842 million

BACKGROUND

The Defense Appropriations Subcommittee began hearings on the FY 2000 budget request on March 3, 1999, and concluded them on May 19, 1999, after 10 separate sessions. The subcommittee heard testimony from representatives of the DoD, other Federal agencies, representatives of organizations, and the public.

BILL PROVISIONS

Personnel

The President's FY 2000 budget requests a total of \$73.7 billion for military personnel appropriations. The Committee recommends military personnel appropriations totaling \$73.9 billion, \$131.8 million above the budget request.

- The Administration requested an **Active Components** military personnel level of 1,384,806. The Committee recommends 1,384,898, an increase of 92 over the budget request.
- For the **Reserve Components**, the President's budget requested 865,298; the Committee funds these components at that requested level.
- To keep military compensation attractive, to help ensure that military pay is competitive with private sector wages, and to enable the services to continue to attract and retain a highly qualified volunteer force, the Committee approved a **4.8-percent pay raise** for FY 2000. The President requested a pay raise of 4.4 percent.
- The Committee supports **pay table reform** using targeted pay raises to reward performance and promotion over longevity. Pay table reform, effective July 1, 2000, will result in a second pay raise during FY 2000, up to an additional 5.5 percent for individuals in critical grades.
- Funding in the bill reflects the **\$1.838 billion added for military pay** in the Conference Report on H.R. 1141, the Emergency Supplemental Appropriations for FY 1999, which passed the Senate on May 20, 1999.

Operation and Maintenance (O&M)

The Committee recommends appropriations totaling \$92 billion for operation and maintenance (O&M), which is \$626.1 million above the budget estimate. Further, the Committee recommends that \$150 million be transferred from the National Defense Stockpile Transaction Fund.

- The bill provides \$1.3 billion for **combating terrorism** and supports the unified management and focus of these funds as described in the FY 2000 Senate Defense authorization committee report (S. Rept. 106-50).
- The Committee supports the establishment of 17 **Rapid Assessment and Initial Detection (RAID) teams**, as provided in the Senate Defense authorization bill. Within the \$1.3 billion for combating terrorism, the Committee appropriates \$79.6 million for an additional 198 Army National Guard and 66 Air National Guard full-time personnel to facilitate this mission.
- The Committee states that the Defense Department has tried to circumvent the discretionary budget outlay limits of the Budget Enforcement Act by expanding the scope and purpose of the **Quality of Life Enhancements** defense account. Rather than providing Quality of Life Enhancement funds for unspecified real property maintenance projects, the Committee adds funds to the appropriate service accounts.
- To protect the training subactivity groups associated with operational readiness, the Committee has supported fully and added \$97 million to the **Army's real property maintenance and base operations plan**.
- Highlighting a growing concern over past shortfalls in non-deployed **readiness in the Navy** and recruiting problems that have degraded the readiness of deploying units, the Committee recommends program increases for weapons maintenance, real property maintenance, ship depot maintenance and repair, and the Shipyard Apprentice program. Programs such as Air Systems Support and Fleet Ballistic Missile programs were decreased due to consistent under-execution of funds.
- The Committee notes that past funding shortfalls in **Navy and Marine Corps non-deployed readiness activities** have begun to degrade the readiness of deploying units and therefore the Committee has recommended program increases for initial issue, real property maintenance, distance learning, and Marine-option NROTC.
- The Committee is concerned that the DoD has failed to establish a consistent policy for the equitable funding for contingency operations across the Armed Services. In light of the misuses of the **Overseas Contingency Operations Transfer Fund**, and the reduction in personnel supporting operations in Bosnia, the request for this fund is reduced by \$300 million, to a level of approximately \$2.1 billion. The Committee Report also notes that H.R. 1141 provided additional supplemental funding for FY 1999 for contingency operations.
- The Committee appropriates \$475.5 million, the requested level, for **Former Soviet Union Threat Reduction programs**. In addition, the Committee directs that \$25 million of these funds be used only to support Russian nuclear submarine dismantlement and

disposal activities begun in FY 1998. The Committee further directs that a status report regarding this program be provided to the Committee no later than February 15, 2000.

- The Committee recommends an appropriation of \$55.8 million, the requested level, for **humanitarian assistance, foreign disaster relief, and humanitarian demining programs.**
- The bill provides \$1.3 billion for **Environmental Restoration**; \$40 million is added specifically to address environmental issues at formerly used defense sites.

Procurement

The President's procurement budget request totaled \$51.8 billion. This request is \$3.3 billion, or 6.7 percent above the amounts Congress appropriated in FY 1999 for procurement activities. The Committee recommends a total of \$54.5 billion in new budget authority, an increase of approximately \$2.7 billion to the FY 2000 request.

- The Committee recommendation adds funds to increase procurement of utility helicopters, to continue multi-year procurement of heavy attack helicopter upgrades, and to upgrade Army helicopters, including adding \$201 million to procure 15 additional **UH-60/CH-60** helicopters.
- The Committee bill maintains multi-year procurement of **M1-A2 tank** upgrades.
- \$4.7 million is added to the procurement of **Army ammunition**, for a total Committee recommendation of approximately \$1.1 billion.
- The Committee appropriated \$50 million more than the budget request for **Army night vision equipment.**
- The bill adds \$45 million for the **Longbow Apache** helicopter program.
- \$14 million is added for advance procurement of 6 more **F-18E/F aircraft** for FY 2001; a total of \$2.7 billion is provided to procure 36 F-18E/F fighters.
- One additional **KC-130** aircraft and one additional **EC-130** aircraft are appropriated.
- \$500 million is provided for advance procurement for **LHD-8 amphibious ship**; there was no money in the President's request for this program.
- The bill provides \$3.08 billion for 15 **C-17 airlift aircraft.** The Committee further provides new multi-year procurement authority to allow the Air Force to enter into negotiations on the procurement of 60 additional C-17s.
- Two additional **F-16C/D aircraft** are funded, for a total appropriation of \$302.6 million, which is \$50 million above the budget request. Advance procurement for 12 additional F-16C/D aircraft in FY 2001 is provided at a level of \$24 million. The budget request included no funds for advance procurement of F-16C/D aircraft.

- The President's request of approximately \$1.6 billion is provided for procurement of six **F-22 Raptor fighters**. The Committee also fully funds the budget request of \$277.1 million for advance procurement of the F-22.
- The Committee recommends an appropriation of \$300 million for **National Guard and Reserve miscellaneous equipment**. The FY 2000 budget estimate had no funding for such equipment.
- The bill allows for the procurement of 12 additional **JPATS trainer aircraft**.
- The Committee appropriates \$2.68 billion to procure 3 **DDG-51 class destroyers**.

Research, Development, Test and Evaluation (RDT&E)

The FY 2000 DoD budget request for research, development, test, and evaluation (RDT&E) totaled approximately \$34.4 billion. The Committee appropriated \$36.5 billion, an increase of approximately \$2.1 billion, or 6 percent, to the budget estimate.

- The Committee provided \$3.4 billion for RDT&E efforts on **national and theater ballistic missile defense systems and technologies**. This appropriation represents an overall increase of \$511.5 million to the Ballistic Missile Defense Organization (BMDO) RDT&E budget request. The Committee also provides approximately \$361 million for procurement of ballistic missile defense systems and components, an increase of \$4.9 million to the budget request. Thus, the total appropriation for ballistic missile defense programs in this bill is \$3.8 billion.
- Of the funds provided for BMDO, the bill increases funding **national missile defense** by \$200 million. In addition, \$50 million is added for the **Navy Upper Tier** missile defense program.
- The Committee adds \$56 million to accelerate the **Comanche helicopter** program.
- The bill adds \$15 million for the **Army's tactical high-energy laser (THEL)** program.
- \$92 million is added for the **Space Based Infrared System (High)** and \$50 million is added for the **Spaced Based Infrared System (Low)**.
- The Committee adds \$42 million for the third **Arrow** missile defense battery.

Revolving and Management Funds

- The Committee appropriates the requested level of \$354.7 million for the **National Defense Sealift Fund**. This fund includes \$257 million for the Ready Reserve Force and \$97 million for acquisition activities in FY 1999.

Other Department of Defense Appropriations

- The Committee recommends approximately \$11.2 billion for the **Defense Health Program (DHP)**, an amount \$350.2 million above the budget request.
- The Committee recommends an appropriation of \$842 million in **Counternarcotics and Drug Interdiction Program** for FY 2000, an amount \$54.2 million above the requested FY 2000 level.

ADMINISTRATION POSITION

There was no Statement of Administration Policy (SAP) available at press time.

POSSIBLE AMENDMENTS

There were no known amendments at press time.

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